IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE V.RAMKUMAR

MONDAY, THE 26TH MARCH 2007 / 5TH CHAITHRA 1929

Bail Appl..No. 1801 of 2007()

CRIME NO.49/01 OF CHANGARAMKULAM POLICE STATION

: PEITITIONER/ACCUSED

DAYAKARAN, S/O.CHEMBAN, AGED 31 YEARS,
KARUVATTUPARAMBIL HOUSE, P.O.MUKKUTHALA,
MALAPPURAM DISTRICT.

BY ADV. SRI.DEEPU THANKAN

RESPONDENTS: COMPLAINANT

STATE OF KERALA REPRESENTED BY THE
SUB INSPECTOR OF POLICE, CHENGARAMKULAM POLICE
STATION, REPRESENTED BY THE PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM.

BY PUBLIC PROSECUTOR SRI.JAI GEORGE

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 26/03/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

V. RAMKUMAR, J.

B.A. No. 1801 OF 2007

Dated this the 26th day of March, 2007

O R D E R

Petitioner, who is the first accused in Crime No.49/01 of Changaramkulam Police Station for offences punishable under sections 447, 427 and 506(i) read with section 34 IPC, seeks anticipatory bail.

2. Consequent on the non-appearance of the petitioner in S.T.No.1306/02 on the file of the JFCM, Ponnani, the case against him was refiled as S.T.No.1588/05. Admittedly, non-bailable warrants of arrest are pending against the petitioner. Anticipatory bail cannot be granted to nullify the process issued by a court of competent jurisdiction. There is no reason why the petitioner should not surrender before the Magistrate concerned and seek regular bail. Accordingly, if the petitioner surrenders before the Magistrate concerned and files an application for regular bail, within two weeks from today, the same shall be considered and disposed of, preferably on the same date on which it is filed, after examining the explanation offered by the petitioner for his previous non-appearance.

This application is disposed of as above.

(V. RAMKUMAR, JUDGE)

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